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June 9, 2006,

Hon. Kenneth M. Karas  
Judge, U.S. District Court  
United States Courthouse  
500 Pearl Street – Rm. 2260  
New York, N.Y. 10007-1312  
Fax No: 212 805-7968

Re: *United States v. Albert Vilar* - 05 Cr. 0621

Dear Judge Karas:

I am writing to request that the Court modify Mr. Vilar's conditions of home detention pursuant to the recommendations of his surgeon, Dr. Cammisa, Chief, Spinal Surgical Service, The Hospital for Special Surgery, under whose care Mr. Vilar has been since 2000.

Dr. Cammisa examined Mr. Vilar on March 27, 2006 and noted signs of "junctional degeneration at the level of his [spinal] fusion..." It is Dr. Cammisa's expert opinion that without proper rehabilitation, "[Mr. Vilar's] risk for deterioration increases".

It is Dr. Cammisa's recommendation that as part of a proper spinal postoperative rehabilitation program, Mr. Vilar be permitted to walk for an hour and a half to two hours every day.

As his schedule now stands, Mr. Vilar is permitted to attend church services every Wednesday (7:30 am to 10:30 am) and Sunday (10:30 am to 1:30 pm). On Fridays (7 am to 12 am) Mr. Vilar attends a counseling session. He is able to walk from the therapist to his home – a walk that takes approximately 30 minutes. Mr. Vilar is also allotted a three hour Saturday timeframe within which he has to conduct all his weekly errands and buy groceries.

We request that the Court modify the conditions of bail to allow Mr. Vilar to have an hour and a half each day for the purpose of preventing any further spinal degeneration.

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Page 2  
6/9/2006

We have spoken with Mr. Vilar's pre-trial officer, Leo Barrios, who has agreed to the hour and a half walking Monday to Friday only. Mr. Barrios' recommendation is that Mr. Vilar's daily walking route should be from his home to our offices and back, calling probation to report when he has arrived at our offices. We have also spoken to AUSA Marc Litt who consents to our request only to the extent of Mr. Barrios' route recommendations.

We request that our client's bail conditions be modified to allow him to walk an hour and a half on a daily basis and not only on the weekdays. In addition we request that he be granted greater flexibility in choosing what route to take on the condition that he calls probation before he leaves his home and also immediately upon his return.. Walking from his home on 1<sup>st</sup> Avenue and 49<sup>th</sup> street to our offices on 39<sup>th</sup> street and Madison Avenue and back will take less than the requested hour and a half and would therefore require him to walk this route twice, phoning in both times he arrives at our offices.

Thank you for your courtesy and consideration.

Very truly yours,

JEFFREY C. HOFFMAN

A handwritten signature in cursive script, reading "Jeffrey C. Hoffman". The signature is written in dark ink and is positioned below the typed name.

CC: AUSA Marc Litt  
PO Leo Barrios